№11

Lex Pacifica:

OR

GODS OWN LAW

OF

Determining Controverſies

Explain'd and aſſerted, in

A SERMON

Preached at *Dorcheſter*, at the Aſsizes holden there for the County of *Dorſet*, *Auguſt* 5. 1664.

By JOHN MARTIN, *Rector of* Horſey's Melcombe.

James 3. 18.

—— *The fruit of righteouſneſs is ſown in peace of them that make peace.*

LONDON,
Printed by *J. G.* for *Richard Royſton*, at the Angel in *Ivie-lane*.
1664.

To the Honourable,

Sir Matthew Hale *Knight, Lord Chief Juſtice of His Majeſty's Court of Exchequer; and*

Sir John Archer *Knight, one of His Majeſty's Juſtices of the Court of Common Pleas; Judges for the Weſtern Circuit: And*

To the Right Worſhipful,

Thomas Freke *Eſquire, High Sheriff of the County of* Dorſet; *together with the Right Worſhipful, His Majeſty's Juſtices of the Peace in that County.*

My Lords and Honourable Gentlemen,

T*Is not any* fond *Conceit* (bred *and* encouraged *from your* acceptance *of this* Diſcourſe) *that hath made me* entitle *the* Reſpect *of it to ſo* Honourable *and* numerous *a* Partage. *The* publick Addreſs *of it* (*had I eſteemed my ſelf* wholly free) *muſt have* directed *it ſelf* (*the* duty *of a* Chaplain *obliging me*) onely *to* Maſter Sheriff; *whoſe* noble *and* prudent *Deportment in* the face of his Countrey, *cannot but* juſtifie *as well as* challenge *a* property *of* Homage *from* others, *beſides his* known Dependents. *But as by*

Maſter Sheriffs *command* (*the* oneſy *Perſon*, *I think*, *that could have* ſet me that task) *I became* (*at firſt*) engaged *to the* Pulpit; *ſo can I not think my ſelf* acquitted *from that* obligation, *by preaching a* maim'd Sermon *to ſo* Reverend *and* Judicious *an* Auditory.

We read of Mephiboſheth, *that* When tidings came of *Saul* and *Jonathan* out of *Jezreel*, 2. Sam. 4. 4. that his Nurſe took him up, and making haſte to flee, he fell, and became lame. *The* like *misfortune* (*a* truth *which* every *one* then *obſerved not*) *happened unto this* Diſcourſe, *by the* haſte *I made upon* ſtrict *commands to* ſhorten *your* trouble, (*though the* tongues *of* Gainſayers *may* (*ſometimes*) *as* haſtily *be* fled *from*, *as the* ſwords *of* Philiſtines) *this* Diſcourſe *became* lame; *and I knew no* better remedy *for its* halting, (*at leaſt no* other ſatisfaction *of* Maſter Sheriffs laſt *Injunction*) *than to* preſent *it to my* Honourable *and* Learned Auditors *upon* its legs: *which*, *if not ſo* clean *and* becoming *as* Orators *may* expect, *nor ſo* firm *and* ſinewed *as* Divines *may* require; *yet may* they *be* fit *enough to* go *of an* errand *of* Charity *to my* Chriſtian *Brethren*, *and to* bring home *your* pardon *for this* (*but*) neceſſary *piece of* boldneſs *in*,

My Lords and Honourable Gentlemen,
Your meaneſt and humbleſt Servant,
JOHN MARTIN.

Lex Pacifica:

Or

Gods own Law of Determining Controversies explain'd and asserted.

Deut. 17. 12.

——And that man that will do presumptuously, and will not hearken unto the Priest (that standeth to minister there *before the Lord thy God) or unto the Judges; even that man shall dye, and thou shalt put away the evill from* Israel.

THat there might be (for this time) some *alliance* betwixt the *Bench* and the *Pulpit*, I have read for my *Text* this *recapitulatorie branch* of one of *Moses* Laws; of that kind, *Divines* have commonly styl'd, the *Judicial* Laws: The *Scripture* by a *Metonymy* calls them *Judgements*, because they are *such* Laws as God himself appointed unto the *Jews*, to be *dispensed out* in *Acts* of *legal Justice*; for *Judgment* is the *Act* of *justice* in *particular* cases, *per modum causæ præcipientis & obligantis*, says *a Lessius:* as flowing from a cause, *commanding* and *obliging* to the *exercise* of such *Acts*.

a D. *Justit. & Jure, lib.* 2. *c.* 29. *Dubit.* 1. *n.* 4. *Idem Aquin. & Sot. & alii.*

Re-

Reduceable they are unto four *heads*. First, ſuch as inſtructed the *Magiſtrates* in their duty towards the *People*. Secondly, ſuch as taught the *People* their duty towards the *Magiſtrates*, and of *one* man towards *another*. A third ſort inform'd them, how to demean *themſelves* towards *Strangers*. And a fourth kind directed them in the *Domeſtick* duties of their *private Families*. The *Diviſion* duly conſidered, ſhews the excellency of the *Jewiſh* Policie, in that the *body* of their Laws extended to all the Eminent *parts*, and *orders* of *Society*.

The *Obligation* of theſe Laws (as delivered by *Moſes*) is by *Divines* uſually affirm'd, not to *reach* unto us *Chriſtians*: the reaſon is, becauſe they are *Poſitive* Laws; and *Poſitive* Laws, though given by God himſelf, oblige only *that* People unto whom they are given; it being the *ſole* prerogative of *Innate* Law, (that is, of the *Law of Nature*) to lay a *common Obligation* upon *all* Mankind.

De nuis nuptiis, c. 7.

But foraſmuch as that ſame is an undoubted truth which *Tertullian* ſpeaks in his book of *Single marriage*, [*quæ ad juſtitiam ſpectant, non tantùm reſervata permaneant, verùm & ampliata*;] *Chriſtians* are not only bound to equal, but to exceed, all others in matters of juſtice and honeſty, (agreeable to our *Saviours* [πληρῶσαι] in *Mat.* 5. 17.)

And being *theſe* Laws have ever been had in great *veneration* in the *Church* of *Chriſt*, wiſe and vertuous *Princes* having made *them* their *Patern* for Laws, as appears by the *Preamble* to our own King *Alured's* Saxon Laws:

S H. Spelman, circa an. Chr. 887. in Concil. Britan.

And foraſmuch as *Divines* have recourſe unto theſe Laws, in *debates*, and for *reſolution* of many weighty points, as of Marriage within *prohibited degrees*, *payment of Tithes*, *Uſury*, and ſome others; there be theſe

theſe three *Corollaries* that depend thereon.

Firſt, that many of theſe *Judicial* Laws are Concluſions, evidently deduc'd from the *Law of Nature*; and are very appoſit and ſuitable to *Eccleſiaſtical* and *Civil* Government, as well *now* amongſt *Chriſtians*, as *formerly* amongſt the People of the *Jews*; and

Secondly, that for *that* reaſon, ſuch of them as ſhall be by *Supreme* Authority judg'd fit, may be *aſſum'd*, either among the Θεῖοι κανόνας, (as *d Antiochenus* ſtyles them) the *Divine Canons* of the *Church*, or the *Decreta Comitiorum* (as we term them) the *Statute-laws* of *Civil* Government.

d *In præfat. ad Collect. Canon.*

And *thirdly*, that ſuch of them as ſhall be ſo *re-inveſted* with the *force* of Law, will be *reducible* to that *kind* of Laws, which ſome *Divines* have rightly ſtyl'd *e* [*leges partim declarativæ, & partim conſtitutivæ*] laws partly *declarative*, and partly *conſtitutive*: *declarative*, in reſpect of the *matter* of them, as having been the *ſubject* of ſome *former* Law; and *conſtitutive* in regard of their *preſent* power to *oblige*, imprinted on them by the *Authority* and *will* of the Law-giver. The *Obligation* of which Laws, that it is in the *conſcience* of the *Subject* (and by *conſequence* a *ſin* not to obey) no man without affronting *Nature* and *Religion* can deny.

e *Suar. de leg. l. 3. c. 14. n. 4.*

And upon this *foundation*, I ſhall by Gods aſſiſtance *ſuperſtruct* a *diſquiſition* of theſe *three* Particulars, as the *heads* of my following diſcourſe.

Firſt, what the *tenour* and *purport* of this *Judicial* Law is, of which we treat.

Secondly, whether *this* Law may be *revived* by *ſupreme* Authority. And

Thirdly, whether there be not either *formally* or *equivalently*, the like Law in this *Church* and *State* in which we live.

In the *profecution* of theſe, I ſhall crave leave to follow the Counſel of *Epicurus* in *f Laertius* [οὐδὲ ῥητορεύσειν καλῶς,] not to preſent you with the *Flowers* of *Rhetorick*; to be more careful to *garniſh* the *Diſh*, than to *ſeaſon* the *meat*; eſpecially for ſuch an *Auditory*, whoſe *parts* and *callings* muſt needs furniſh them with abilities, to *concoct* far more *ſolid* matter and *learning* than can be expected from my *very Ordinary* skill and capacity.

f Diog. Laert. lib. 10.

Firſt then, concerning the *tenour* and *purport* of this *Judicial* Law.

I. And here if my *Obligation* to diſcourſe of *this particular* Law, would permit me to ſpeak of Laws *in general*, amongſt many other things, that might be ſaid, I ſhould not omit to take notice of the opinion the *Heathens* themſelves had of the *Sacredneſs*, and of the *Neceſſity* of Laws. Of the *Sacredneſs* of Laws, in that the *prime Heathen Lawgivers* endeavoured to perſwade the people that *their* Laws were of *Divine extraction*; Amongſt the *Greeks*, *Minos* feign'd to have receiv'd *his* Laws from *Jupiter*; *Lycurgus*, *his* from *Apollo*; and *Zaleuchus*, *his* from *Minerva*; as *g Clemens Alexandrinus* tells us: and for the *Romans*, *Numa Pompilius* his fam'd addreſſes to the Goddeſs *Egeria* for inſtructions in making of Laws, are notorious to all; Foreſeeing belike the importance of *that truth*, the *h Hiſtorian* acutely obſerves, as the reaſon why the *Perſians* were wont to *deify* their *Kings*; *Majeſtatem imperii ſalutis eſſe tutelam*; their opinion of the *Neceſſity* of Laws is inferr'd from their conceit, that *i Phoroneus*, whom they fancied to be the *firſt* Lawgiver, was likewiſe the *firſt man*; πάλιν θνητῶν ἀνθρώπων, & ἀρχέγονος, (as *k Nonnus* calls him) as if *all* that lived *before* him had not been *men* fo-

g Strom. lib. 1. p. 352.

h Curtius l. 8.

i Euſeb χρον. λογ. πρωτ. vid. Sca. Animad. p. 19.

k Lib. 32.

l Phoroneus Moyſe Antiquior 300. an. Sic Euſeb & Aug. docent; cum tamen præceſſerunt regna Aſſyr. Argyv. Ægypt. ſed Regna legibus priora. Liv. l. 3. Juſt. l. 1, &c.

for want of Laws; (what think you would they have thought of *them*, who will not live *like men* under *juſt* Laws?)

But the *due* regard of *method* having confin'd me within narrower bounds, I ſhall in as *few* words as *conveniently* I may, endeavour fully to explain *this* Law, by inſiſting on theſe four particulars, or *integrant* parts of Law. 1. *Interdictum.* 2. *Cenſura.* 3. *Sanctio.* 4. *Ratio finalis* legis.

The { 1. *Interdict.* 2. *Cenſure.* } { 3. *Sanction*, and 4. *Final Reaſon* of this Law.

1. The *Interdict* of this Law is this, That if it happned, either through the *ambiguity* of *words*, or *exception* of *caſes*, that there aroſe any *doubt* of the *extent*, or *meaning* of any *Judicial*, or *Ceremonial* Law, in *inferiour* or *local* Courts of *Judicature*, the *Queſtion* was to be brought before the great *Sanhedrin*, or Council of *Jeruſalem*: and there a *definitive* Sentence being made, all both *Judges* and *Litigants* were *bound* under *pain of death*, not to *reject* and *contradict* the ſame; but it was to be put upon *Record*, as a *Rule* in ſuch *caſes* for the future.

To make this more plain, we will ſuppoſe a *Caſe* that may be eaſily conceived to ariſe, out of the Law of their δευτερο δεκατη, or *ſecond Tithing*, *Deut.* 14. 22. The words of the Law are theſe, [*Thou ſhalt truly tithe all the increaſe of thy ſeed, that thy field bringeth forth year by year.*] Upon *this* Law it might be doubted, whether by a *direct* conſequence drawn from *this* Law, the *Jews* were not bound to pay unto the *Levites*, in their *firſt tithing*, the *tenths* of all ſuch things as grew in their *Gardens*. The reaſons of which doubt may be, Firſt, for that *prudent* men might conceive, that the Law intended *no* more, but a *fit* maintenance for the *Prieſts* and *Levites*; unto which ſuch *ſmall* things

would but little conduce; and therefore that they were not *included* in the Law for *Payment of Tithes.* And secondly, because by the *uncertainty* of their *estimation*, they might raise *contentions* betwixt the *Priests* and the *People*; or occasion unnecessary *scruples* in mens consciences, and thereby introduce that *posthumous* way of expiating *involuntary* Sacrilege by *Mortuaries*, as amongst us. And thirdly, because the word שדה in the Law, which is rendred a *field*, is sometimes (though but *seldom*) found to signifie a *Garden*.

Now if the great *Sanhedrin* at *Jerusalem* should determine, that the *Jews* were bound to pay Tithes of those *minute* things which grew in their *Gardens*, the People were oblig'd by *virtue* of *this* Law in the *Text*, to submit their practise unto that *Decree*; and if upon *pretence* of *error* therein, some זקן חמרא some contumacious Doctor (as the *l Jews* call'd him) the same with the Αταξίας διδάσκαλος, in the *m Apostles Canons*, should factiously oppose the same, such a one was (by *this* Law) *to be put to death.*

l Geor. ad Loc.
m Can. 16.

This Council at *Jerusalem* was the same with that the *Text* styles [*the Priest*, or *the Judge*] for in the *ancient* state of that Government (as *n Philo* and *o Josephus* tell us) ἐπόπται πάντων καὶ δικασταὶ τῶν ἀμφισβητουμένων ἱερεῖς ἐτάχθηται, the *Priests* had the *hearing* and *determining* of all *controversies*, in the ordinary way of *Judicature*; which course (as *p Eusebius* notes) was observed among them, (though not without some *mixture* of the *Laity*) till the reign of *Herod* the *Great*: in whose time the *Scepter* being about *to depart* from *Judah*, (the authority whereof had been till *then* preserved in this *Sanhedrin*, and the *Assamonæi*; and *q Baronius* in his *Apparatus* shews you how) *Herod*, I say, upon

n Lib. de Prin. constit.
o Advers. Ap. lib. 2.

p In Chron. Ο αὐτος τὸς Ιουδαίων νομαδεῖς καὶ τῶν πατρίων ζηλωτὰς ἀπέκτεινεν, *idem Baron. ex Phil. l. 2. de Temp. De hujus libri authoritate vid. Baron. ad An. Ch. 1. p. 83. n. 20 Plant. & ad An. Chr. 32. p. 143.*

q p. 10. n. 15.

upon *reasons* of *State* slew them all but *one*, and substituted a *Council* of *Proselytes* in their stead.

Let no man think that the *Tribe* of *Levi*, either *took* too much upon them, or had too much *conferr'd* upon them, by this *honour* of *Judicature*; it was no more than the *Heathen-world* bestowed upon their *ignorant* and *Idolatrous* Priests; for the *Ethiopians*, r *Strabo*; for the *Ægyptians*, s *Ælian*; for the *Persians*, t *Eusebius*; for the *Athenians*, u *Josephus*; for the *Gauls* and *Britains*, x *Cæsar*; for the *Romans*, y *Cicero*, are authentick witnesses.

r Lib. 17.
s Lib. 14.
t In chron.
u Lib. 14. Ant.
x Lib. 6
y Lib. 2 de legib.

Nor was the *Impostor Mahomet* wanting to the *reputation* and *advantages* of his *Religion* by the like design: whose Priests always sit with the secular Magistrates; their *Alcoran* or Scripture (after the manner of the ancient *Councils*) lying before them; as if all were done by an *infallible* rule, and the *judgment were Gods*.

But it almost exceeds belief, in what *veneration* and *power that Order* of men was in *this* Land, for some hundreds of years after *this* Nation had received the *Faith*; and that not by any *precarious favour* of Princes, or by an *ignorant fondness* of the People; but establisht their *honour* was by Law; by which every Priest was accounted *Thani rectitudine dignus*, as appears by the a Laws of King *Ethelstan*; (a respect, which I shall neither *arrogantly*, nor *unseasonably* communicate unto *vulgar* ears.) The reason whereof is not only that which our learned *Antiquarie* gives us in his *English Councils* [*Quippe sub his sæculis apud ipsos solum esset literarum clavis*, &c.] because the learning of that age was wholly *ingross'd* by some of the *Clergy*; the *Priest* being the *Oracle* of the *People*, as the *Bishops* were of the *King* and *Kingdom*: but there is *another*, and (perhaps) a *stronger* reason to be collected

a Can ult. de Wergildis, i. e. capitum æstimationibus. Vid. S. H. Spelman in epist. ad Reg. Jac. ib.

collected out of *those* words, in one of King *b Edwards* Laws [*& gladius gladium juvabit*] from the *reciprocate* assistances of the *temporal* and *spiritual* swords: *Christians* then believing, that there was as much *credit* to be given unto *those*, as to any *other* words of our *Saviour*, *Mat.* 18. 18. [*Whatsoever ye shall bind on earth shall be bound in Heaven, and whatsoever ye shall loose on Earth shall be loosed in Heaven.*] But this *honour* and *power*, together with the *immunities* of the *Church*, *sub Normannicis Regibus nutare cœpit*, says that *c Author*; and in the *Council* of *Clarendon* under *Henry* the *second*, they received a *grievous wound*: which hath more or less continued *bleeding* ever since: and tis to be fear'd would have done so, till the *spirits* of all *Ecclesiastical Jurisdiction* had been clean *exhausted*, if *Experience* (which is *sometimes* the Mistress of *wise men*, as well as of *fools*) had not *bound* up the *wound* with a *probatum est*, *No Bishop*, *No King*.

b Si quis arrogans pro Episcopi justitia emendare noluerit, Episcopus Regi notum faciat. Rex autē constringat malefactō ē, ut emendat, cui foris fecerit, scil. primum Episcopo, deinde sibi, & sic erunt ibi duo gladii, & gladius gladium juvabit. Hoveden. Annal. par. post. Hen. 2. p. 601. n. 50. Edit. Savil.

c Sir H. S. *ib.*

I speak not *this*, as if I thought it either *convenient*, or *necessary*, that the *Clergy* should *concern* themselves in matters of *civil Judicature*: (Pity it were that so *active* and *learned* a *Gentry* as this *Nation* is wont to produce, should betwixt *doing nothing*, and *doing ill* (which would be the certain *consequent* of that *other* design) degenerate from the *worth* and *lustre* of their *Ancestors*!) that ἀυτεξουσιότης or power of *self-Government*, which the *Primitive* Church did exercise (and for which, some men *of late* did so much *struggle* and *contend*,) though it cannot be denied to be *lawful*, yet was it *cumbersome*, and in many cases *uneffectual*.

It could not stand with the *Reputation* of the *Church* of *Christ* to make *appeals* unto the *Heathen Emperors*,

as

as the *dCouncil* of *Antioch* was fain to do, under the *affronts* they received from *Samosatenus* the Heretick, after they had *deprived* him. Nor have the *Popes* themselves been wholly exempt from the like *exigents*, as appears by one instance for all, by the *supplicatory* Epistle of *Pope* e *Boniface* to the Emperor *Honorius*; in the case of *Schism*, between the *Popes* themselves. So *unuseful*, if not *unsafe*, will be St. *Peters* Keys, (though hanging at the *Pope's* own *girdle*) if they should lock up *Cæsar's* sword.

d Bals. [*ex Euseb.*] *Synod Antioch. in Præm.*

e *Voel. tom.* 1. *p.* 213 *& Bar. ad An. Chr.* 419.

The *sober* and *learned* Clergy of *this* Church must needs know, that the *Spiritual Jurisdiction* stands in need of the *temporal power*: and that the *Miter* is only safe, under the *shadow* of the *Crown*. Happy then it is for us, that *Ecclesiastical Dominion* can derive it self into the *same fountain* from whence *descends* the *temporal authority*: and that (like f *Righteousness* and *Peace*) the *two* Jurisdictions, can *kiss* each other in the *Arms* of *Soveraignty*: that among us, 'tis all one to be our *King*, and to be the *Defender of the Faith*: that the *Sword* is joyn'd to the *Word*, and the *Judge* to the *Priest*.

f *Ps.* 85. 10.

This *Constellation* of Power, as it is a *Prognostick* of *security* and *happiness*, to men of *temperate* spirits; so will it prove a terrible *Omen*, to such as *despise Dominion*, and leave their *heady practises* to the *Censure* of *just* Laws, which are the true *Standard* whereby to *measure* the crimes of *Offenders*; and not the *Opinions* of *Ignorant* and *prejudicate* men; which *leads* me to the second *integrant* part of this Law, *Censura Legis*.

2. Such hath been the *policy* of *Satan*, that taking advantage of the *ignorance*, *prejudice*, *interest*, and *vices* of men, he hath *sent* some sins up and down the world like *spies*, with *false* names, that might not cause men to *distrust* and *avoyd* them; they were not only *carnal*

but

but *ſpiritual wickedneſſes*, which have *wandered* about in this *diſguiſe*, *compaſsing* the world like *him* whoſe *emiſſaries* they are: not only *prava*, but *Pia fraudes* have on all hands *cheated* men of their *pretious* ſouls; *ſtellicidia mellis de Labacuncolo venenato*, as *Tertullian* ſpeaks, the *Devil* having *poyſoned* the *Limbecks* from whence men hoped to have ſuckt moſt *ſoveraign Elixars*: and dealt with the world as *Praxiteles* the Statuary in *g Poſidippus* did with the fooliſh Heathen, made his own *Darlings* to be worſhipt by mens fancies, inſtead of a *Deity*.

g Clem. Alexand. λογ. προτρεπτ. p. 29.

But as the *judgement of God is according to truth* in *puniſhing* ſinners; ſo are the ſins of men *exactly* recorded by *Him* in his *Doomsday-book*, at the *approach* of thoſe *everlaſting burnings*. *Drunkenneſs* will not *then* be called good fellowſhip; nor *uncleanneſs* a trick of youth; nor *cheating* a trick of wit; nor *pride*, decency; nor *oppreſsion*, ſelf-preſervation; nor *Rebellion*, honeſty; nor *faction*, Godlineſs; nor *Sedition*, ſtanding for the truth; nor *ſuperſtition*, devotion; nor *Sacrilege*, reformation.

How light ſoever it may ſeem to ſome in theſe days to *reject* the juſt commands of our *Lawful* Superiours in *Church* and *State*, yet *ab initio non fuit ſic*: and how it came to paſs, that *that* which was ſo *grievous* a crime among the *Jews* (Gods *own* people too) ſhould be *transform'd* into an *heroick* Virtue among *Chriſtians*, will want ſome *Oedipus* to unty the *knot*.

The Scripture it ſelf bears witneſs of the hainouſneſs of this Sin, allotting it a place among ſins of the *firſt magnitude*, ſins of *preſumption*: [*Qui autem ſuperbierit nolens obedire*] So the *vulgar* reads the Text, כודון and before that the *Septuagint* (after the *original*) [ὃς ἐὰν ποιήσῃ ἐν ὑπερηφανείᾳ] and therefore *h Aquinas* doth rightly define contempt to be [*nolle ſubjici legi*] not

h 22. q. 86. a. 3.

to

to *ſubmit* ones ſelf to *juſt* Law, and ſo *i peccare ex contemptu, eſt peccare ex voluntate non ſe ſubjiciendi alteri,* to be guilty of the ſin of *contempt* is *wilfully* to refuſe to ſubmit our ſelves to *them* that have a *juſt* and *lawful* authority over us. i *Suar de legib. c.28.n.13.*

This ſin is firſt *brooded* and *hatcht* in the *underſtanding*; when that *perſon*, or *his authority* to *whom* we ought to ſubmit, is *leſs* eſteem'd than *he*, or *that* ought to be: next it deſcends into the *inward affections* and *paſsions* of the *mind*; and there *grows* and *ſtrengthens* it ſelf, from a *deſire* and *contrivance* of *opportunities* to expreſs it, and to invite others to the ſame attempts: and laſtly, it comes out, and ſhews it ſelf to be a *fiery flying Serpent*, ready *fledg'd* and prepared for *action*; and *diſcovers* as much by *Overt acts*, as the *Law* calls them; whereby this *pride* and *malice* of the heart becomes diſcernible to all.

A *Sin* it is, that of all others, carries with it the greateſt *provocation* both with *God* and *Man*; 'tis not (*always*) ſo much the *thing* that is done, as the *mind* *k* wherewith it is done, that gives unto *this* ſin its true *eſtimate* and *ſize*. When God made *Saul* King, there were *ſome* that brought him no *preſents*, 1 *Sam.* 10. the *Exchequer* 'tis like complain'd not for want of them; yet the *Holy Ghoſt* calls thoſe men, *ſons of Belial*; as having an eye upon the *venome* that lay in their *hearts*; they did it not, becauſe they *deſpiſed him*. We read of *one* that not long after the *commandement* for obſerving rhe *Sabbath* was given, had *gathered ſticks* upon *that* day; and was therefore, by Gods *eſpecial* appointment, *ſton'd* to death, *Num.* 15. the *fact* was but ſmall, but his *pride* was great; he did it ὑπερηφανέως too, out of *preſumption*, and ſo fell uuder their *l* דיני נפשות their *judicium animarum* (as the *Jews* call'd it) for *he that deſpiſ'd Moſes Law was to die without Mercy*, as the Apo- k *Tunc non peccati ſpecies, ſed peccantis intentio peenſat.* D. Bern. l. 1. de præcept. & diſp. c. 14. v. 17. l *Caninius diſquiſ. c.* 7.

ſtle tells us, *Heb.* 10. 28. and tis the *Sanction* of this Law [*even that man ſhall die*] which is our *third* particular.

3. *Laws* have *generally* in them a *double* power; *directive* and *coercive*: the *firſt* deſcribes and appoints the *duty*, the *ſecond* determines the *puniſhment* to be ſuffered, if the *duty* be not perform'd. Upon this follows a *m double* obligation of the *Subject* by Law: the firſt is ὑπακοὴ, *Obedience*; the *ſecond* is ὑποταχὴ, *Subjection*: the *former* we commonly ſtyle *active*, the later, *paſsive* obedience: *active* obedience is doing the *duty*; *paſsive* obedience is ſubmitting to the *puniſhment*, if we *do* it not.

m Dr. Sanderſon *prælect.* 6.

The *firſt Poſitive* Law that ever was made in the world had theſe *two*, the *directive* and *coercive* parts. *Gen.* 2. 17. [*Of the tree of the knowledge of good and evil thou ſhalt not eat*] there's the *directive* part: [*for in the day that thou eateſt thereof, thou ſhalt die the death*] there's the *coercive* part.

Theſe *two* parts of Law, have reſpect to that *twofold Power*, which is in *every* mans ſoul; the *Underſtanding*, and the *Will*: the *Underſtanding* is the *Card* and *Compaſs*, the *Will* holds the *Rudder*, and *ſteers* the courſe of mens *actions*: *that* directs, *this* executes. Now becauſe the *Will* is a *free power*, and may *chooſe* to do or not doe; therefore the *coercive* part of Law is added, to reſtrain the *Will* from evil, in doing contrary to the *rule* of Law; for if the *Will* had no *freedom* in her actions, all the Laws of *God* and *men*, were (*at beſt*) *impertinent*. πειθαὶ αἱ ἐνλολαὶ, ϗ μᾶλλον ὁ Παῦλος, &c. as *Origen* truly ſpeaks, and with him *two* great *Fathers* of the Church in his *n Philocalia*: and St. *Cyril* of *Alexandria*, of as good authority as any, ſays as much in his ſixth Book *de Adoratione in Spiritu & veritate*.

n ch. 21.

If this were not true, with *Reverence* to your Lordſhips

ships be it spoken, you would return from your *Circuit* with *sins* upon your *consciences*, of the same *colour* with your *Robes*; I mean sins of bloud, *Scarlet* sins, as the *o* Prophet calls them: it being utterly *unreasonable*, and therefore *unlawful*, to punish any man for doing that which he had *no power* to avoyd. A *consequence* so inevitable; that some *Phanatiques* in the *close* of the late *troubles*, foreseeing the force of it, refused to assist in their *Councils of War*, because they would not concur in *that* mans punishment, whose *actions* (as they conceived) were no more *contingent* and *free*, than the *motion* of a stone, tending to the *centre* of *gravity*. The effect of which *pernicious* errour, was most acutely foreseen by a great *States-man* of ours, for almost an *age* since; as the late *Reverend* and *learned p Author* of the *Quinque-Articular History* will inform you.

o *Isa.* 1. 18.

p *Part.* 1. *c.* 6. *s.* 12.

This *coercive* part of Law belongs to *vindicative* justice, and appoints the *punishment* due to the breach of *each* particular Law; which is not *always* to take its *measure* from the fact *materially* considered, but in *conjunction* with the *will*, and other *faculties* of the *soul*. *Intentio est quæ dat præcipuam formalitatem in actibus moralibus*, (say the *q Schoolmen*;) the *intention* gives the *formality* to the sin; and so creates that difference the *r Gloss* observes, betwixt *non parere* and *contemnere*; of great importance with *Casuists*, in *stating* the nature and *kinds* of offences against Law, *in foro interiori*, or in the *conscience*: for in *foro exteriori*, or the *publick tribunal*, there the Law judges of the *intention* by the *fact*, and not of the *fact* by the *intention*.

q *Aquin.* 12 *æ q* 72 1. 8. *c.* 32. *q.* 88. 4: 1m.

r *c. quia.* *Dist* 10.

The *formality* of the sin we speak of, stands in the [*nolle obedire*] in the *Text*; enough to exact the *greatest* punishment, especially from *such* a Lawgiver, who hath *absolute* Soveraignty over mens lives. *Ego occidam, & ego vivere faciam*, says God, *Deut.* 32. 39. *I*

kill, and I make alive; that is, say * *Expositors*, I have the *sole original right* and *authority* of taking away mans life; and therefore *Magistrates* cannot take away the lives of *Malefactors*; or expose the lives of their Subjects to the hazard of *just* wars; as having *absolute Dominion* over mens lives; but as *conservators* of the Peace, and *publick* good. And upon *this* ground it is, that it is *injustice* in them, to *make* Laws, that have *punishments* annext unto them *disproportionate* to the offence committed, especially in the *excess*; and from hence it is, that we account it but *ſ reasonable*, to conjecture what is the *quality* of the crime, by the *nature* of the punishment inflicted upon *offenders*; the crime *here* is *contempt*, the punishment's *death*: *gravis pœna, sed ad vitandum periculum omnium gravissimum*, saith the *learned* and *experienced* t *Grotius*; a *great* punishment, but tis inflicted for prevention of the *greatest* mischief in the world: you will believe him, if you please to reflect upon the *fourth* and last *integrant* part of this Law; the *Ratio finalis legis*; the end why God made *this* Law, and *secured* it from the *approches of the foot of pride*, by so *severe* a punishment; and that was, for prevention of *Schism*; expreſt here *Antonomasticωs*, [*the evil*;] *and thou shalt put away the evil from Israel.*

4. *Schism* in the *proper notion* of it seems to me to be a thing not known to the *Heathen* world. u S. *Augustine* (indeed) and x S. *Athanasius* tells us of many *bloudy quarrels* that hapned amongst them concerning their *Idolatrous* worship, but methinks there should be no *Schism*, (at least not *properly* any) where there is neither *truth* nor *Church*. But with *Sedition*, the *younger* Sister of *Schism*, (for *Schism* seems

* *V. Soto. de just. & jur. l. 4. q. 2. a. 3.*

ſ *Quoties pœnam mortis imponebat transgressoribus alicuius legis, materiam illius legis fuisse gravem, & de se sufficientem ad peccatum mortale, significat.* Scot. in 4. d. 1. q. 6. Sic Aug. l. 2. de Bapt. c. 6.

t *ad locum.*

u *Serm. 11. de verb. Domini.*

x *Lib. cont. Gent.* ἐναυλίας καὶ μαχαιρώσας ἀλλήλαις ἔχουσαι τὰς θρησκείας αἱ πόλεις, &c.

ſeems to be as old as that bloudy quarrel betwixt *Cain* and *Abel*) the *Heathen* were ſo well acquainted, that *Thucydides* gives this true *Character* of the *Monſter*, πᾶσα ἰδέα κακοτεχνίας ἐν σάρκι κατέστη, that ſhe it is that hath brought forth *miſchiefs* of all *ſhapes* and *ſizes* in the World. And *Schiſm* cannot but be thought ſo much the more *Superiour* to *Sedition*, in the production of *miſchiefs*; by how much the more *fierce* all quarrels and contentions are, that ſpring out of *different opinions* in Religion: and further, *diſſentions* of this kind have, above all others, the ſtrongeſt *appetite* of *propagation*. *Agreſſours* in factions of religion, labouring to have their *names* and *opinions* ſerve to that ſame end as *Ziſca*, when he died, appointed for his *skin*; who being *Leader* of the *Taborites* (a faction in *Bohemia*) commanded that a *Drum* ſhould be made therewith, (as *Dubravius* and *others* tell us) that ſomething of *Ziſca* might ſtill be heard to *ſound*, in the Ears of his *followers*, and their *enemies*.

I ſhall not *burthen* your patience by proſecuting the *common place* of *Schiſm* with *infinite* authorities out of the *Fathers*, ſetting forth the grievouſneſs of *this* ſin: it was the *due conſideration* hereof, that made *a Aquinas* to affirm *Schiſm* to be the *greateſt* of all ſins againſt our *Neighbour*; and that not only *reſpectu circumſtantiarum*, in reſpect of the many *circumſtances* and *accidents* that attend it; but likewiſe *reſpectu ſpeciei*, in regard of its *own* nature; becauſe it is the moſt *contrary* to *Charity*, and the *love* of our *Neighbour*; for it is *contra ſpirituale bonum multitudinis*, as he ſpeaks; it is againſt the *ſpiritual* good of a *multitude*: ſo that we may ſay of *Schiſm*, as the * Women of *Iſrael* ſang of *David*; if *other* ſins (like *Saul*) kill by *thouſands*; *Schiſm* (like *David*) kills by *ten thouſands* at a time. The *Apoſtle* in his *Epiſtles* calls it *Hereſy*; and if *noſcitur ex ſociis* be a good *Topick*, you may judge what

a 22æ q 39. 2. 3m.

* 1 Sam. 18. 7.

what *kind* of ſin it is, by the *company* amongſt which you will find it, *Gal.* 5. 19. [b] *Tertullian* ſays, *that word* comes from a *Greek Verb* ſignifying [to *chooſe*] ſo that he makes *Schiſmaticks* and *Hereticks* to be ſuch as will *chooſe* for themſelves. The true *definition* is, *'tis a voluntary departure from the government of our lawful Superiours, and a refuſal to communicate with our fellow-members, with a deſign of drawing followers after us.* This is that *poyſoned* Arrow which the *Romaniſts* would fain *dart* into the *ſides* of the *Church* of *England*, and therefore make the *formal reaſon* of *Schiſm* to conſiſt in a *voluntary departure* from the *Pope*, as being Chriſts [c] *Vicar* here on earth: but *non hæret lateri lethalis arundo*; we are *yet* to be convinc'd that the *Pope* is Chriſts *Vicar* here on Earth, though we will not deny him to be St. *Peters* ſucceſſour in *Rome*. And as for our *voluntary* departure from a *dependency* on that Church, we have done *no* more, but aſſerted that *juſt* right we had to *govern* (and by conſequence to *reform*) our ſelves, by the 28. *Canon* of the fourth *General* Council: wherein ἴσα πρεσβεῖα, equal privileges with *Rome*, were granted unto *Conſtantinople*, διὰ τὸ σκῆπτρων μεῖάσασιν, (for ſo [d] *Alexius Ariſtinus* truly abbreviates that *canon*) becauſe the *ſeat* of the *Empire* was *transferr'd* from *Rome* to *Conſtantinople*: how much rather do the like *equal privileges* belong to *us*, who have not only *tranſlated* the *ſeat*, but the *Empire* too, (I mean of our ſelves) from that *City*, of whoſe *vaſt* Dominion this *Iſland* was ſometimes a part? But I *return*.

[b] *D. Præſcrip. adv. Hæret. l. 1 c. 6.*

[c] *Bell. lib. 2. de Ro. Pont. c. 12*

[d] Ὁ τῆς νέας ὁπίσκοπος Ῥώμης τῷ τῆς παλαιοτέρας ὁμοτίμος, διὰ τὸ καὶ τὸ σκῆπτρων μετάσασιν. Alex. Ariſt. in Synopſ. Can. 28.

This is that ſin which God deſigned *this* Law to prevent, as a moſt *intolerable evil*: for without a power to *determine* Controverſies, that ſhould ariſe amongſt

a *ſeeking* and *ſcrupulous* party, it is not in the *power* of man to do it. And being therefore that it is Gods manner, e *res humanas conſervare modis humanæ naturæ congruentibus*, to conſerve the affairs of men, by *ways* & *means* agreeable to mans nature; and being that *others* beſides the *State* and *Church* of the *Jews*, are *liable* to the like *diſtempers* and *confuſions*; we may reaſonably conceive it, not unfit to be examined, whether *this Law may not be revived by Supreme Authority*; which is my *ſecond Diſquiſition*.

e *Grot. ad loc.*

2. The *Reſpect* of the *directive* part of *this* Law, is all that we inquire after; for, as for the *coercive* part *thereof*, we re-inforce it not; *hoc nunc agit in Eccleſia Excommunicatio, quod agebat tunc interfectio*: Excommunication among Chriſtians (ſaith f S. *Auguſtine*) *in many caſes* commutes for temporal death under the Law; and let *this* be one of them.

f *Quæſt. ſup. Deut. l. 5. c. 38.*

But for the *directive* part of this Law, why it may be revived by *Supreme* Authority, there be *theſe* Reaſons producible, and fit to be *ſoberly* weigh'd by all that have a true *Chriſtian* temper of mind in them.

1. *Firſt*, becauſe the *ſame* thing was put in practiſe by the *Apoſtles* themſelves, for prevention of the *ſame* evil, *Acts.* 15. for *certain men which come down to Antioch from Judæa, having taught the Brethren and ſaid, except ye be circumciſed after the manner of Moſes ye cannot be ſav'd; the Apoſtles and Elders came together for to conſider of this matter, v.* 6. And having made a Decree concerning the *point* in controverſy; how *religiouſly* it was obſerved, not only by *Chriſtians* of that Age, but for more then 300 years after, g *Tertullian* in his *Apology*, h *Origen* againſt *Celſus*, i *Euſebius*, k *Cyril* of *Jeruſalem*, l St. *Auſtin*,

g *In Apolog. c. 9.*
h *Contr. Celſ. lib. 8.*
i *Eccle. Hiſt. l. 5. c. 1.*
k *Catech. 4.*
l *Epiſt. 154. ad Public.*

and

and *m Leo* will inform ſuch as pleaſe to enquire.

m Ep. 79. ad Nic.

2. Secondly, becauſe the following *Councils* did never doubt of the *like power* in themſelves, as oft as they came together, for *determining* queſtions of *faith*, or *practiſe*. I ſhall only inſtance in the *6.n Canon* of the third General *Council*; which pronounceth an *Anathema* on whomſoever ſhould διωδήποτε τρόπῳ παρασαλεύειν (which *o Ariſtinus* reads by ὁ ἀνλοφθαλμῶν τῇ σωδόξῳ. and *p Balſamon* expounds by ἀμφιβάλλειν) ſhould but *heſitate* or *doubt* of, as well as *oppoſe* the *Decrees* of that *Council*.

n Apud Balſam.

o In Synop. Can. conc. Epheſ. c. 4.

p μεγάλη διαφορὰ τῷ ἐναντιοῦσθαι, καὶ τῷ ἀμφιβάλλειν τινὰ περὶ τίνος πράγματος, ib. ερμ.

Now the *Council* of *Epheſus* we all know, met for *determining* a *diſpute* about the *perſon* of *Chriſt*: for *p Neſtorius* had affirm'd and taught, that the *bleſſed Virgin* was not the *Mother* of *God*, but of *Chriſt*: from whence a *duality* of perſons muſt needs be inferr'd to be in the *Son of God*; and by *conſequence*, that there was not a *Trinity*, but a *Quaternity* of *Perſons* in the *Divine nature*. The *Council* did (as they needs muſt) *determine* againſt *Neſtorius*; which *determination* though undoubtedly true, yet becauſe it was a *conſequence* drawn from Scripture, by the *mediation* of humane underſtanding, and the *Council* did ſo *ſeverely* oblige *all* the Church to receive it, it muſt follow, that the *Council* had a *full aſſurance* of her *power* to define matters in controverſy; and to oblige the members of the *Catholick Church* not to reject her *determinations*, under the pain of *Anathema*. The *argument* is of ſuch weight in the judgment of the great *q Cardinal*, that he ſticks not to conclude an *Infallibility* of the Church from thence. I *ſtretch* it no further than to infer *à majori ad minus*, that, if there were a *power* in the *Church*, that under ſo *grievous* a puniſhment, could exact the *reception* of her *Decrees* in points of *Faith*; much more

p Vide Cyril. Alex. ὅπως πρὸς τινὰς ἐν τῇ ἐν Κωνσαντ. κλήρ.

q Bel de Conc. lib. 2. c. 4.

may

may the *ſame* Authority require obedience to her *determinations* in ſmaller (becauſe *practical*) things.

3. A *third* reaſon is; becauſe it is *abſolutely* neceſſary, that all *publick Societies*, whether *Eccleſiaſtical* or *Civil*, be furniſhed with all *neceſſary* means to *preſerve* themſelves from thoſe evils, which are *apparently* deſtructive of *all governments*: which evils are ſuch as doe *inevitably* produce *diſcord*, *diviſions* and *ſeparations* amongſt the *members* of the ſame *community*; the only *Remedy* whereof, is an *Authority* and *Power* in the Governours, to *hear* and to *determine* all Controverſies, and to bind the *contending* parties to *acquieſce* in their determinations.

Not as if I thought, that a man were *bound* to believe every thing to be *true*, or *beſt*, that ſhould be *ſo* determined: for this *great Council* of the *Jews* were not *infallible*, nor needed *ſo* to be; as appears by that *Offering* which God appointed to be offered, when the *Congregation* had treſpaſs'd through *ignorance*, Lev. 4. 13. But, that the members of *Church* or *State* may be bound *non contra agere*; not to *do* that which is contrary to a *definitive ſentence*.

It is ſufficient that *in materia probabili* (the common *ſubject* of *humane* Laws) there be a *moral certainty* in our *Superiors*, of the *truth* or *goodneſs* of what is *thus defin'd*: which is enough to oblige *Inferiors* to obedience; the *Caſuiſts* rule holding good in this point [*Si res ſit dubia, præſumendum eſt pro Legiſlatore*;] reaſon, modeſty and humility, nothing *dubiè* (and that muſt be *demonſtratively*) appearing to the *contrary*, will (at leaſt) *admoniſh* us, to think the judgement of the *Law-giver* the *beſt* and *trueſt*.

4. A *fourth* Argument is; becauſe it is a thing *unreaſonable* to *affirm* or *imply*, that Government under the *Goſpel* ſhould be left in a *worſe*, and *inferior* con-

dition to the ſtate of it under the *Law*; r St. *Paul* having advanc'd the *miniſtration* of the *Spirit*, above that of the *letter*; that is, the *Oeconomie* of things under the *Goſpel*, above that they had under the Law; of which things *Government* cannot be underſtood to be ſo *inconſiderable* a part, as to be excluded from having any *ſhare* in that *Evangelical Prelation*; which yet muſt *inevitably* follow; if the ſame *diſeaſes* remaining in the *body politick*, the *Governours* thereof ſhould be debarr'd the uſe of the like *Remedies*: I mean, if *Chriſtians* ſhall be (at leaſt) as liable to *faction* and *Schiſm*, as any *Jews* whatever; and yet the *higheſt* authority amongſt them, be not allowed *ſufficient* means to *prevent*, and *reſtrain* men from *Innovations*.

r 2 Cor. 3.8.

Add hereto, how *ridiculous* a thing it muſt needs appear to be, that men *concern'd* in Government, ſhould frequently *meet*, and *conſult* about making of *Laws*, for ſuch as had arm'd themſelves againſt all *force* of Authority with *this* Principle, *viz.* that they were *bound* to receive no Laws, further than ſhould ſtand with their *own* good liking and approbation. By which means it muſt come to paſs, that it would be the task of the Magiſtrate, not ſo much to contrive Laws that might promote *Truth*, *Peace*, *Juſtice* and *Virtue* amongſt men, as *ſo* to model *his* Laws, as mought beſt ſecure, both *himſelf* and *them* from contempt.

Ob. It may (perhaps) be objected, that there is a wide difference betwixt what God *impoſeth*, and what men *injoyn*.

Sol. To this I anſwer *firſt*, That it is to be obſerved, that God doth in *this* Law *bind* the *Jewes* to follow, not what *he himſelf*, but what their *lawful* Superiors (the *Prieſt* or *Judge*) ſhould *define*; to *whom* likewiſe he had not promiſed any *infallible* aſſiſtance,

but

but on the contrary, had left them to the *beſt* uſe of their *reaſon*, which at *beſt* may *erre*: and when *actually* it did *erre*, yet were the *Jews bound* to *follow*, and not to *diſpute*, the (but) *erroneous determinations* of that *Council* that ſate in *Moſes* Chair.

And *ſecondly*, That the Law of God doth not exceed the *juſt* Law of the *Church* or *State*, in *reſpect* of the *obligation*, though it doth *ſo* in reſpect of its *ſtability*; the reaſon is, becauſe the *obligative force* of Law, is from the *eſſence* or *nature* of Law, and is the *neceſſary* effect of Law. The *Law-giver* doth not give to Law its *eſſence*, but its *exiſtence*; he may *chooſe* to make *this* or *that particular* Law, but when he hath *made* a Law, *that* Law hath its *force* from its *own ſpecifical* nature; for, that Law *ſhould bind*, is *quid æternum & immutabile*, it is an *eternal* and *immutable*, becauſe it is an *eſſential property* of Law.

5. *Laſtly*, The *revival* of this Law is not *oppoſite* to *Scripture*, nor is the *Scripture* an *adequate* rule for all ſuch things as are to be done by us in our ſeveral *places* and *callings*; from whence it muſt needs follow; that the *multitude* muſt ſtand in need of *direction* and *determination*, either from *themſelves*, or from *others*, in many *particular* caſes.

Let no man think *much* that I have ſaid, that the Scripture is no *adequate* rule for *particular* actions; for if this were not true, it muſt follow (as the late *s Reverend* and *Learned* Biſhop of *Lincoln* obſerves) that ſuch as *never* had the *Scriptures*, *never* had any rule for *particular* actions; which is not onely *contrary* to *experience*, but to *that* of the *Apoſtle*, Rom. 2. 15. where he tells you, that the *Heathens* who had *not* that Law which God gave unto the *Jews*, did govern themſelves in *particular* moral actions, by *that* Law which *was written in their hearts*.

s Dr. *Sanderſon Prælect.* 4. *Sect.* 14.

A *principal* but not an *adequate* rule of moral actions, we muſt acknowledge the *Scripture* to be; and therefore, as the *Law of nature* (by reaſon of its *generality*) doth ſtand in need of a *ſupply*, which it hath from the *determination* thereof, by *particular humane Laws*; ſo the *Scripture*, by reaſon of its *generality* (though not for *that* reaſon onely) doth ſtand in need of a *ſupply*, from *particular* rules of *particular* actions.

For in *moral* actions theſe *two* things are to be conſidered; *Firſt*, The *principal rule* by which they are to be *governed*; together with the *principal end* unto which they are to be *directed*; and ſo the *Scripture* is a *rule* of all our *moral* actions, *directing* us to do all that we do in *Charity*, for *edification* of our Brethren, and for the *Glory* of God. The *ſecond* thing, is that *immediate* and *adequate* rule, whereby the *action* we are about to do, is to be *govern'd*; and *this* (as it is not *neceſſary* that it ſhould, ſo) the *Scripture* doth not *preſcribe*; but, as in things left unto our *own* choice, we *govern* our ſelves by *that* rule we eſteem *beſt*, or *good*: ſo, as we are members of the *Church* or *State*, Reaſon cannot but tell us, that in *particular* actions, our *underſtanding* as well as our *will*, may ſtand in *ſubordination* to *ſuch* as have a *right* and *authority* to govern us.

Diſſenters will eaſily be convinc'd by an inſtance in both. Theſe *Reverend* and Honorable *Perſons* (my *Lords* the *Judges*) have for performance of their duty, *this rule* of doing it from Scripture, *Deut.* 1. 16. [*Hear the cauſes between your Brethren, and judge righteouſly between every man and his Brother*] this is the *Principal rule* of that action their Lordſhips are now upon; but the *form*, *manner*, *time*, *place*, yea the *very rule* of judging *righteouſly between every man and his brother*, is not *preſcrib'd* in *Scripture*, but by the *Laws* of this *Land*,

Land, unto which their Lordſhips hold themſelves bound to *conform*, as the *adequate* and *immediate* rule of their *conſciences*, in *adminiſtring* juſtice in this *Nation*.

The like *inſtance* I ſhall crave leave to give in a matter of exceeding great *concernment* to us, as we are *members* of this *Church*, and *owe* obedience unto his Majeſties *Eccleſiaſtical* Laws. It is the command of our *dear Saviour*, our *Lord* and *Maſter Jeſus Chriſt*, that the Sacrament of the Lords Supper be received *often*, in *remembrance* of his *moſt pretious death* and *paſſion*, and for the *actual application* of the benefits thereof unto the *worthy* Receiver; and that *this* be done with ſuch *reverence* and *preparation*, as becomes ſo *holy* and *dreadful* a *myſtery*; but the *geſture*, *time*, *place*, *manner*, and *other* circumſtances, are not *preſcrib'd* by Scripture, but left in the *power* of the *Church* to *determine* (*who* hath the *ſtandart* and *rule* of *decency* in *her* hands) *niſi fortè tantum Sacramentum minùs deceat ordo, quàm confuſio*; unleſs *that* Sacrament be the *onely* thing that is beſt *ſet out* by *diſorder* and *confuſion*, as *t Bellarmine* ſmartly (if juſtly) replies upon the *Centuriators*; and the *Apoſtle* himſelf hath confuted with Judgements from Heaven, 1 *Cor.* 11. 30.

t de Rom. Pont. l. 4. c. 8.

Ob. But here it will be *objected*, That if *this* be granted, *Chriſtian liberty* would be no more but an *empty name*; and thouſands of *good* Chriſtians muſt hold themſelves *bound* to ſubmit unto *ſuch* Laws, as are not *agreeable* to their *particular* conſciences, which were to *loſe* the faireſt *Jewel* in the *Crown* of *Reformation*.

Sol. To this I ſay, God forbid but that every *good* Chriſtian ſhould have a *due* regard unto *ſuch* things, as lye in *common* unto the *whole profeſſion*, as *Liberty* and *Conſcience* do; but we muſt remember, that *non plus nomini, quàm veritati tribuendum*, that we do not *ſacrifice truths* to titles, and *things* to names.

Liberty

Liberty is a word that the whole world (in a manner) *firſt* learnt from *Luther*, as that which *dropt* from *Heaven* into his *arms*; though many of his *words* and *actions* (applauded and imitated both *then* and *ſince*) could not be *warranted* by his *very large* Commiſsion. I mean it not ſo much of his burning the *Corpus Furis Canonici* in the *publique Market-place*, in token that he had ſet *all* the world *free* from Laws (which he did thereby as *truly*, as *Xerxes* bound the *Helleſpont*, when he caſt a chain therein), but rather of his *contemning* and *reviling* the Civil Magiſtracy, on whom in his book *de poteſtate ſeculari*, he beſtows this *Character*, *ſunt communiter maximè fatui, & peſſimi Nebulones ſuper terram*; which amongſt other worſe (if there could be worſe) expreſsions, rendred *him obnoxious* amongſt his *enemies*, to that ſharp *invective* in the *Diet* at *Worms* [*Exlex homo, leges ipſas omnes damnat*,&c.]and made *his* friend *uGeſner* doubt what would become of that *prodigious liberty*; *faxit Deus*, ſays he, *ne contentione & impudentiâ oris, obſit Eccleſiæ ſuæ.* *Yoaks* of unjuſt ſervitude may ſometimes be *broken*, but Chriſtians muſt not fling the *Pieces* of them in the *face* of *ſupreme* authority.

u Con. Geſn. in univerſal. biblioth.

But as for *Chriſtian liberty*, I ſhall ſay in one word, that it is beſt known by its *contrary*, and that is, by that *Spirit of bondage* which was in the *unconverted Jews*; ſo that *Chriſtian liberty* is no more but a *freedom* from the *burden* of the *Ceremonial*, and the *curſe* and *rigor* of the *Moral* Law; from the *guilt* and from the *Law* of Sin; from the *fear*, and from the *power* of Death. This I take to be all that can be found in the Scripture, which is the Chriſtians *Magna Charta*, the great *conſervatreſs* of his *Liberty*. Laws therefore that preſerve *Order* and *Decency*, and keep men from falling into ſin (the onely *vaſſallage* of a Chriſtian) can by

by no means *infringe*, but rather *advance Chriſtian Liberty*.

As to the later part of the *Objection* that concerns *private conſcience*, ſuppoſed in *ſome* to be *oppreſſed* by *ſuch* Laws, to which *others* may as *innocently* as *willingly* ſubmit, I anſwer, that it may *juſtly* cauſe all *ſober* men to ſuſpect, that there is ſome *error* and *faſcination* in that opinion; *Conſcience* of late, having *juſtified* the *Jews* miraculous Fable of their *Manna*, namely, that it had the *taſte* of that which *every* one *beſt* lik'd; *fleſh* to one, *fiſh* to another, and *fruit* to a third.

Certainly men ought to be very *jealous* over the *importunities* of their *Conſciences* againſt *publike* Laws, when they ſhall reflect upon the *miſerable deluſions* of thoſe *Miſcreants* amongſt us, who having *beſmear'd* themſelves with the blood of their King, ſhould dare *publikely* to *juſtifie* (in the very face of *Death* and *Judgement*) ſo *grievous* a Crime, from the dictates of their *private* Conſcience, and *their following of God*, as they term'd it. Which laſt *blaſphemous* expreſſion will not ſuffer me to leave you unacquainted with that *remarkable* Caution for *all* in Authority, which fell many years ſince, from the *Divine* Pen of that *incomparable* x *Hooker*, *Impoſſible* (ſaith he) *it is, that ever the wit of man ſhould imagine, what will grow out of ſuch errors, as go mask'd under the Cloak of divine Authority, till time have brought forth the fruits of them: for which cauſe it behoveth Wiſdom to fear the ſequels thereof, even beyond all apparent cauſe of fear.*

x *In præfat. Sect.* 8.

But to ſpeak ſomething that may comport with the *remainder* of my time concerning this *Objection*.

This *maxim* muſt *firſt* be laid down, as an *unqueſtionable* Truth, *viz.* y *Contra omnem rectitudinem eſt, bonum commune ad privatum ordinare, ſeu totum ad partem*

y *Suar. de Legib. l.* 1.

tem propter ipſam referre. *Law-givers* judge what is fit for the *common* good; and unreaſonable it were to *ſtoop* that unto *private* intereſts and reſpects. Suppoſing then that *ſome* Laws may appear *contrary* to *ſome* particular mens Conſciences; What ſhall be done? obey *contrary* to their judgements, or *diſobey* thoſe Laws for *conſcience* ſake?

For *anſwer* hereto, give me leave to ſay, *firſt*, That there is no *contrariety* betwixt a *z juſt* Law, and a *good* Conſcience. *That* Law is undoubtedly a *juſt* Law, in which there is a *concurrence* of the *juſtice* of theſe *four* cauſes of Law, wherein the *whole* of it doth conſiſt; That is to ſay, the *juſtice* of the *final*, *efficient*, *formal*, and *material* cauſes of Law. 1. It muſt be for the common good. 2. The Law-maker muſt have a *true legiſlative* power. 3. The *matter* of the Law muſt be *good*, at leaſt *indifferent*. And 4. laſtly, It muſt have the right *form* of Law, *i. e.* it muſt be a *rule of rectitude* for *humane* actions. Such a Law doth *neceſſarily* oblige them to whom it is given; nor can it poſſibly be *contrary* to a good Conſcience; becauſe *ſuch* a Law is conform to *right reaſon*, as *right reaſon* is conform to the *Law of Nature*; and the Law of Nature to that *eternal Law* in the *minde* of the *Divine Eſſence*.

z Soto de Juſt. & Jur. l. 1. q. 6. art. 4.

Let me give an *inſtance* or two. This is the *Law of Nature*, and to this *right reaſon* is conform, *viz.* *That men live temperately*. This *Principle* conſidered by the *Law-makers*, they judge it fit to make a Law, *prohibiting* the eating *ſome* kinds of meats, as of *fleſh* in the *Spring* or *Lent*, that thereby (amongſt *other* reaſons) *Chriſtians* might ſhew their *temperance*; which is not onely an *abſtinence* from *exceſs* in the *Quantity* of *all*; but, in regard of the *Quality* of *ſome* meats, as appears by *Daniel*'s faſt, in the 10. of that Prophecy,

phecy, *verſ.* 3. Such a Law as this, cannot be *contrary* to a good conſcience, becauſe it is appointed for the practiſe of a *noble* Virtue, to wit, *Temperance.*

Again, as to the caſe in hand. This is a *rule* in the Law of Nature, That *ſuch as are Governors of others, uſe all prudent means to prevent Sedition and Schiſm* in the *Church* and *State.* Now if *Law-givers* are *morally* aſſured, that *this* cannot be done, without *defining ſome* things under *diſpute* amongſt their *Subjects*, and exacting from all a *ſubmiſſion* unto *that* rule, which they ſhall preſcribe by *Law*, and ſhall thereupon injoyn an *uniformity* of practice unto all the *community*, ſuch a Law cannot be *contrary* to a *good* conſcience; the reaſon is, becauſe the *ſubmiſſion* thereunto is an *actual* exerciſe of the Virtues of *humility*, *obedience*, *charity* and *ſobriety.* So, that unleſs to practiſe even *Cardinal* Virtues, be *contrary* to a *good* conſcience, *There is no contrariety betwixt a juſt Law, and a good conſcience.*

2. I anſwer *ſecondly*, That it is the opinion of many *learned* men both *a Divines* and *Canoniſts*, *That he that ſubmits unto a juſt Law, though contrary to his own judgment, is not thereby guilty of ſin.* The reaſon I conceive to be, becauſe no man is guilty of ſin, in *doing* of that, which God *expreſly* commands him to *do.* Now it is Gods *expreſs* command, that *Subjects* obey their *lawful* Governors, not onely *for fear of wrath, i. e.* puniſhment, but likewiſe *for conſcience ſake, i. e.* that by their *obedience* they might avoid the *guilt* of ſin, *Rom.* 13.5. which *obedience* of Magiſtrates, it is *impertinent* for any one to ſay he performs, that *refuſeth* to *obey* the *juſt* Laws of ſuch as *God* hath plac'd in *authority* over him.

a Halenſis, Ant. Henr. Carthus. Vaſq, &c.

Some (indeed) have thought, that there is a *middle* courſe to be taken in *this* caſe, and that *willingly* to ſubmit to the *penalty* of the Law, is ſufficient to diſ-

charge the *conſcience* from all *guilt* of diſobedience. The reaſon of this *aſſertion* is, becauſe there is this *rule* in the Law [*Etſi non poteſt infligi pœna ſine cauſâ, poteſt tamen ſine culpâ*] there may be no *fault* for which a puniſhment may be inflicted, but there muſt be ſome *cauſe*.

This I acknowledge to be the judgement of ſome excellent *Divines*; but withall, it is to be obſerved, that they confeſs it holds true, *only* in that *ſort* of Laws which the *Canoniſts* term [*Leges purè pœnales*] Laws *purely* penal; but it extends not unto [*Leges mixtæ pœnales*] Laws of a *mixt* nature.

But, as thoſe Laws which are *purely penal*, are very few, as appears by that Character of them which *b Suarez* gives us; ſo are they not *ſuch* Laws of which we *now* treat; for *theſe* are both *moral* and *penal*; and in *this* caſe, to undergo the *puniſhment*, doth *not* diſcharge the Conſcience from the guilt of ſin: the reaſon is, becauſe there is a *double* obligation in every *ſuch* Law; it *binds* either to *do*, or to *omit* ſome *moral* act; and it *binds* likewiſe to undergo the *puniſhment*, if *that* act be not *done*, or *omitted*, according to the *appointment* of Law. For it is a *true* rule, that *omnis præceptio obligat ad culpam*; every *juſt* command of our *lawful* Superior, leaves a *guilt* upon the conſcience of him that *refuſeth* to obey.

b *Quoties per verba legis pœnalis non declaratur ſufficienter proprium præceptum obligans ad actum, vel omiſſionem ejus, præſumendum eſt, eſſe legem purè pœnalem.* Suar. de Leg. l. 5. c. 4. n. 9.

Now this is an *hard* caſe you'll ſay. So *hard* indeed, that I ſolemnly profeſs, that it cannot ſink into *my* underſtanding, that our *merciful God* ever intended, that men ſhould be reduc'd into ſuch *horrible perplexities*, as *this* caſe imports: for *nulla eſt neceſsitas delinquendi, quibus una eſt neceſsitas non delinquendi*, ſaith c *Tertullian*; and the caſe may be *ſuch*, that a man may *not* be able to *ſuſpend* his action; and then, *ſin* he muſt whether he *do*, or *not do* as he is commanded.

c *De Coron. Mil. c. 11.*

How-

However I ſhall not be *peremptory* and *Magiſterial* in a point of ſuch infinite importance (as by the *erroneous* doctrines and *imaginative* practiſes of men, the ſame is *now* become) *veris nitimur & veriſimilibus non contradicimus*, as the *great Hiſtorian* ſpeaks. *Reliance* I would have only on *Truth*; but things ſo *likely* to be true, as that *firſt* opinion is, I ſhall not *contradict*. If *obedience* unto Gods *command*, be a *good Warrant* againſt *all*; methinks it ſhould be *ſo*, againſt *our ſelves*; and that upon theſe *two* or *three* conſiderations, which I ſhall humbly offer unto all *ſuch* Chriſtians, who, as *themſelves* complain that they have *tender* conſciences; ſo their *brethren* have not had cauſe given them to complain, that *they* have had *hard* hearts.

1. *Firſt* I ſhall deſire every *ſuch* Chriſtian to conſider, whether it ſeems not *unreaſonable* to affirm, That there is in the ſoul of man a *power*, inveſted with a *capacity* of binding the *Will*, from obedience of *juſt* Laws, becauſe the *end* of all Government is hereby wholly *fruſtrated* and *taken away*; which is the preſervation of *peace*, *virtue*, and *love* in the whole *community* (whether of *Church* or *State*) by an *uniform* obedience of the *ſame* Laws, from the *obligation* whereof, *conſcience* is ſuppoſed to ſet *all* men *equally* free; and thereby to become the great *Palladium* of *Sedition*, *Hereſie*, *Treaſon*, and what not; whereof I wiſh there were no *argument* to be ſummon'd againſt the *Gain-ſayers*, from *freſh* experience of *theſe* evils.

2. *Secondly*, there muſt needs follow from *thence*, an *odium* not only upon all *ſuch* Laws, as *ſuch* men ſhall eſteem *unjuſt* (how *juſt* ſoever they be) but alſo, upon the *very perſons* of *Princes*, and of all *inferior* Magiſtrates, that ſhall put *ſuch* Laws in execution. And what think you will become of that *Prince* (if *means* and *opportunity* ſhould offer themſelves) who ſhall be *eſteemed*

a *Perſecuter* of his *People* for *conſcience ſake*?

3. *Laſtly*, I ſhall leave it to the conſideration of the learned, whether the opinion of d *Brentius*, viz. *That the Magiſtrate hath power to bind the conſcience in caſes that concern Religion; and yet that his ſubjects muſt not ſubmit thereto, without approbation of their own judgement*; whether *this* opinion (I ſay) doth not *interfere*, and is of moſt *dangerous* conſequence to the *Peace* and *proſperity* of *Church* and *State*; which yet is that *ſame* opinion, which hath taken (by what *means* I know not) too *ſtrong* and *deep rooting* in the minds of *many* men, otherwiſe *good* and *virtuous* perſons.

d In Prælegom. ad P. Soto.

For *concluſion* of this *point*. Seeing therefore that 1. The *Apoſtles* themſelves have defined matters in *debate* and *controverſie* in the *Church*, for prevention of *Schiſm*; And 2. That *National* and *General* Councils have done the like, as conceiving themſelves duly *impowered* and *obliged* thereto. 3. That it is *neceſſary* unto all *Governments* whatſoever, to be *furniſh'd* with all *means* that may preſerve them from *certain* ruin and deſtruction. 4. That *things* that concern *humane* Affairs, are not *under the Goſpel*, in a condition *inferior* to that which they had *under the Law*. 5. That the *revival* of *this* Law is not *contrary* to Scripture, nor the Scripture an *adequate* rule for *particular* actions. And laſtly, That *liberty* and *conſcience* duly conſidered, receive no prejudice by *this* Law of *defining* points under *debate*, and thereby impoſing an end unto controverſies:

I conclude, That *this Judicial* Law (as to the *directive* part of it) may be *revived* by *Supreme* Authority; and in the

III. *Third* and *laſt* place, I humbly conceive it to be of force in *this* Government, as a *fundamental* thereof; and that for theſe *two* or *three* reaſons, which I ſhall mention in a *word*, and ſo *diſburden* your patience.

1. *Firſt*,

1. *Firſt*, becauſe the *ſtate* of *this* Church and Commonwealth ought *no* more to *want* any of thoſe means, which are *neceſſary* to her *preſervation*, than any other *Church* or *Commonwealth* in the world; and therefore God having *declared*, that a *power* of *defining* matters in debate, was neceſſary to the *being* and *flouriſhing* of his *own* Church, and Kingdom amongſt the *Jews*; the Government of *this* Church and State, cannot be *reaſonably* thought to be diveſted of *that* power.

2. *Secondly*, becauſe the *Crown* of this Realm is an *Imperial Crown*; the ſame which *Vulcatius Gallicanus* calls *e Imperium juſtum*; which implies, that *as* it is *independent* from any other but God alone; *So* it cannot be conceived to *want any* thing that belongs to an *abſolute* and *independent* Government; and therefore is *inſeparable* from *ſuch* a power we ſpeak of; there being *inherent* in *this* Crown, not onely a *temporal*, but an *Eccleſiaſtical* Dominion, ſuch as *our* f *Church* affirms to have been in the *Kings* of *Judah*; and which was likewiſe in the *Roman Emperors*, as appears by that title of *Pontifex Maximus* derived unto them, together with the *Empire*; and which was retain'd by *Conſtantine* and his *ſucceſſors*, untill *g Gratian*'s time, who *firſt* of all deveſted the *Imperial Crown* of *that* title, and thereby *opened* a way for *Maximus* to bereave *him* of his life. Let *Princes* think on that *bloody* but *witty* conceit of *h Symmachus* (the Heathen *Prætor* of *Rome*) and then conſider, what it is to part with *Eccleſiaſtical Dominion* [*Si Gratianus nolit eſſe Pontifex Maximus, brevi erit Maximus Pontifex.*]

e *See Caſaubon. not. in Vulc. Gall. n. 10. p. 199.*

f *Act. 37.*

g *Zoſim. l. 4.*

h *Baron. ad an. Chriſt. 383.*

3. My *third* and *laſt* reaſon is founded in *equity*; becauſe the *ſubjects* of this Realm have not onely an *intereſt* in *making* thoſe Laws whereby they are govern'd, but likewiſe a *right* to *interpret* thoſe Laws when made; if becoming *doubtful*, by reaſon of ſome

am-

ambiguous clauſes, or expreſſions therein: For although
1 Præfat. ad lib. 4. *interpretatio Legum ordinariè Reverendos Judices Regniq; ſapientes ſpectat*, &c. (as ſaith Judge *Cook*) *though the expounding of the Laws doth ordinarily belong to the Reverend Judges and Sages of this Realm, yet in caſe of greateſt difficulty and importance, to the high Court of Parliament.* In which *Court* of *Parliament*, the people of *this* Nation having their *Repreſentatives*, it muſt follow; that *Equity* will oblige them to *ſtand* to their *own Act*; as being *done* in that *Great Council*, wherein are both the *Prieſt* and the *Judge*; and from which lies no *Appeal*. A doctrine (ſurely) which *now* deſerves a better regard, than when it was (for *many* years together) the *Pulpit-aphoriſm* of *three* Nations.

I ſhall *conclude* with a *ſpecial* direction of a *few* words to *all*, as their *Places*, *Callings* and *Opinions*, may be *duly* thought to concern them, in the *deſign* of this *Diſcourſe*; which the *Searcher* of all hearts knows, to be the *product* of that *ſincere* love, which I have unto all my *Chriſtian* Brethren, and unto the *peace* and *wellfare* of that *Church* and *State* in which we live.

And the *words* ſhall not be *mine*, but they ſhall be the *words* of the *wiſe*, which (I truſt) will *be as goads, and*
Eccl. 12. 11. *as nails faſtned by the Maſters of aſſemblies.*

1. And *firſt* for ſuch as are *Diſſenters* from this point; I ſhall leave *upon* their thoughts that *milde* and *pious* exhortation of the *judicious Hooker*, in his *Preface* to his *unanſwerable Treatiſe of Eccleſiaſtical Policy.*

The beſt and ſafeſt way for you my dear Brethren (ſays he) *is, to re-examine the cauſe you have taken in hand, and to try it even point by point, argument by argument, with all the diligent exactneſs you can, to lay aſide all gall of bitterneſs, and with meekneſs to ſearch the truth. Think you are men, deem it not impoſsible for you to err: ſift impartially your own hearts, whether it be force of reaſon,*

reaſon, which hath bred and ſtill doth feed theſe opinions in you. If truth doth any where appear, ſeek not to ſmother it by gloſing deluſions, acknowledge the greatneſs thereof, and think it the beſt victory when it doth prevail over you. Far more comfort it were for us (ſo ſmall is the comfort we take in theſe ſtrifes) to labor under the ſame yoak, as men that look for the ſame eternal reward of their Labors; to be joyned with you in indiſſolvable bonds of love and amity. To live as if our perſons being many, our ſouls were but one; rather than in ſuch diſmembered ſort, to ſpend our few and wretched days, in a tedious proſecution of wearifom contentions, the end whereof (if they have not ſome ſpeedy end) will be heavy on both ſides. Experience hath made the *Prophecy* obſervable.

2. For theſe honorable *Gentlemen* whoſe *concernment* in *Church* and *State* are now *allyed*, and *twiſted* by his Majeſties favor, unto *one* and the ſame *common* end, to be *procur'd* and *advanc'd* by the ſame *common* truſt of power; of *which* I may ſay as *Alexander* in *k Curtius* did of his marriage with *Darius* his Daughter; that it was done by him, *ut hoc ſacro fœdere omne diſcrimen victi & victoris excluderet*; I ſhall only minde you of that *adviſe* the late *Wiſe* and *Pious l* King gave unto his *Son*, his *Majeſty* that now reigns. *Let nothing ſeem little or deſpicable to you in matters which concern Religion and the Churches Peace, ſo as to neglect a ſpeedy reforming and effual ſuppreſſion of Error and Schiſms; which ſeem at firſt but an hand-breadth, by Seditious Spirits, as by ſtrong winds, are ſoon made to cover, and darken the whole Heaven.* I preſs you not to *extremities*: God forbid! Neither *prudence* nor *Charity* allow *ſuch* courſes; the *State* of this *Church* reſembles *that* in St. *Auſtin*'s time; and therefore we may all ſay as *m he* did; *Non tamen ideo Eccleſiam negligimus; ſed toleramus quæ nolumus, ut perveniamus quo volumus.*

k L. 10.

l ΕΙΚ. ΒΑΣ. p. 238.

m Lib. cont. Donat. c. 20.

To

To you (my Lords the *Judges*) I shall *conclude*, with an *humble* desire that your *Lordships* will be pleased to *reflect* upon a *few* words of the *Oracle of the Law*; I shall give you them in his *own* language out of that excellent *n Preface*, to the fourth Book of *his Reports*. *Non debet Princeps ferre suarum legum ludibrium. Quin & sæpius docuit misera & luctuosa experientia (quod aliquando ipse etiam observavi) multos qui in id, ingenii nervos omnes intendêrunt, linguasque exacuêrunt, ut legibus hisce scandalum aut calumniam imponerent, nefarium aliquod crimen aut commisisse, aut fuisse machinatos, ideoque leges odisse, quia justam censuram, & gravem plagam metuêrunt.* My Lords, **You know the man and his communication.*

n *Lib in Præfat.* A Prince ought not to suffer his Laws to become a laughing-stock: And woful experience hath often taught (which I my self have sometimes observed) that many of those men that have strained their wits, and stretched their tongues to scandalize or calumniate these Laws, had either practised or plotted some heynous crimes; and therefore hated because they feared the just sentence and heavy stroke. * 2 *Kin.* 9. 11.

Let me *add* but a *word* more. Amongst the *Jews* God made *o* this Law, That, *If an Oxe were wont to push with his horn in time past, and it hath been certified to his owner, and he hath not kept him in, and he hath kill'd a man or woman; the Ox shall be ston'd*, and *the owner also shall be put to death.* The words (*my Lords*) have a *tropological* sense; tis *obvious*, and I shall leave it to your Lordships *wisdom* to *apply* it.

o Exod. 21. 29.

And *lastly* (that I may *knit both ends* of my *discourse* together) I shall *conclude to*, and *for all*, in the words of Holy *David*, *Psalm.* 19. *Lord keep thy* servants *from presumptuous sins, lest they get the Dominion over* us, *so shall we be undefil'd, and innocent from the great offence.*

THE END.